

### REMARKS

Claims 1-35 are currently pending. Claims 1, 2, 6, 7, and 9-20 have been amended for clarification. The amendment of claims 1 and 11 is supported by page 5, lines 1-4, of the application as filed. The addition of claims 21-35 is for the purpose of enhancing Applicant's scope of patent coverage and is supported by the original claims and page 5, lines 1-16, and page 6, lines 6-10, of the application as filed. It is respectfully submitted that no new matter has been added.

The Patent Office rejected claims 1-20 under 35 U.S.C. 102(b) as being anticipated by Balogh, U.S. Published Patent Application No. 2001/0024953.

There are four independent claims currently pending. Independent claims 1 and 11 have been amended. New independent claims 21 and 31 have been presented.

In pertinent part, independent claim 1 recites "a) storing in the mobile telephone a plurality of different sets of parameter settings, each of which is associated with a location" and "d) downloading a set of parameter settings to the mobile telephone when the mobile telephone enters a new location."

In pertinent part, independent claim 11 recites "a memory for storing a plurality of different sets of parameter settings and a database for associating each set of parameter settings with a location" and "an interface for downloading a set of parameter settings when the apparatus enters a new location."

In pertinent part, new claim 21 recites "storing means for storing a plurality of different sets of parameter settings and a database for associating each set of parameter settings with a location" and "downloading means for downloading a set of parameter settings to the apparatus when the apparatus enters a new location."

In pertinent part, new claim 26 recites "a) computer code for storing in a mobile telephone a plurality of different sets of parameter settings, each of which is associated with a location" and "d) computer code for downloading a set of parameter settings to the mobile telephone when the mobile telephone enters a new location."

Balogh discloses "the settings needed to access networks and different network resources may be collected together and stored as information sets in the mobile terminal MS" (paragraph 0024). Balogh's disclosure of "typically at least the TCP/IP settings need to be renewed by

connecting to a DHCP server which assigns a new IP address for the MS” (paragraph 0046) is not a disclosure of downloading “a set of parameters.” Although Balogh discloses the “access point selection may also be used when there are no information sets stored” (paragraph 0048), Balogh does not disclose or suggest downloading a set of parameter settings to the mobile telephone, apparatus, or mobile communication device when the mobile telephone, apparatus, or mobile communication device enters a new location.

Thus, Balogh does not anticipate claims 1-35.

Furthermore, claims 5 and 15 are not anticipated by Balogh, as Balogh offers no teaching for their claimed subject matter of “wherein the application settings include settings for an email client.”

The Patent Office asserted that claims 6 and 16 are anticipated by paragraph 0043 of Balogh.

Claims 6 and 16 each recite “wherein each set of parameter settings are contained within a provisioning document.”

Balogh, in paragraph 0043, discloses as follows:

[0043] If the differences fulfil the pre-determined conditions, according to a preferred embodiment the user is informed 408 of this, and it is checked 409 if the user wishes to change the connection to the second access point in another sub-network. In this case the connection to the second access point in another sub-network may be established 410 advantageously using the settings In the Information sets only If the user allows the change. Again, the pre-determined conditions are advantageously adjusted so that the user is notified early enough, which allows the user to save documents and log out from databases, for example. However, it is also possible that the access point is automatically selected, that is, the connection to the second access point is established 410 if the differences fulfil the pre-determined conditions. The connection to the second access point is advantageously established only if all pre-determined conditions are fulfilled. The connection to the second access point is advantageously established by using the settings described in the information sets. If the second access point is in a different logical network (NW1, NW2), the used information set changes.

Where does Balogh disclose a “provisioning document” in paragraph 0043? Applicant would appreciate the Patent Office’s specifying with particularity a “provisioning document” in

paragraph 0043 of Balogh and, if so specified with particularity, also where Balogh discloses “each set of parameter settings are contained within a provisioning document.”

The Patent Office considers claims 9 and 19 to be anticipated by paragraph 0027 of Balogh. Paragraph 0027 of Balogh discloses as follows:

[0027] The channel settings define whether the operating radio channel is selected automatically or manually. The first three settings marked with ‘!’ are essential and should be stored within each information set. The data rate setting may comprise information about the possible data rates, e.g. the logical network NW1, NW2 may provide 2 Mbps data rate. Security settings related to WEP preferably comprise key length, key mode, selected default key and keys or information on the keys used for authentication and/or encryption. It is suggested that the keys should not be part of the information set; they can be stored elsewhere but the information set references them. Other WLAN specific settings may comprise radio-related parameters or any other settings that may be needed. Other settings may be for instance different settings mentioned in the IEEE 802.11 standard, such as the fragmentation threshold or the listening interval.

Applicant requests that the Patent Office specifically point out where in this passage of Balogh is a teaching for the claimed subject matter of “selectively protecting parameter settings such that the mobile telephone uses the protected parameter settings irrespective of location” or “selectively protecting parameter settings such that the apparatus uses the protected parameter settings irrespective of location.” Barring such disclosure, claims 9 and 19 are allowable for this additional reason.

The Patent Office is respectfully requested to reconsider and remove the rejections of the claims 1-20 under 35 U.S.C. 102(b) based on Balogh, and to allow all of the pending claims 1-35 as now presented for examination. An early notification of the allowability of claims 1-35 is earnestly solicited.

Serial No.: 10/607,669  
Art Unit: 2614



Respectfully submitted:

Walter J. Malinowski  
Walter J. Malinowski

January 21, 2008  
Date

Reg. No.: 43,423

Customer No.: 29683

HARRINGTON & SMITH, PC  
4 Research Drive  
Shelton, CT 06484-6212

Telephone: (203) 925-9400, extension 19  
Facsimile: (203) 944-0245  
email: wmalinowski@hspatent.com

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

Jan. 21, 2008  
Date

J. Droniak  
Name of Person Making Deposit